

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Survey Settlements and Land Records Department - Disciplinary action against Sri M.A.Bari (retired), the then Superintendent, Office of Regional Deputy Director, Survey & Land Records, Hyderabad - Imposition of punishment of 20% cut in Pension permanently under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Orders - Issued.

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REVENUE (VIG.IV.2) DEPARTMENT

G.O.Rt.No. 83

Dated:12.01.2012.

Read the following:-

- Ref:-1) From the Commissioner, S.S. & L.Rs., Rc.Vig.I/3099/2002, dt.26.03.2002.
- 2) G.O.Rt.No.2072, Revenue (Vig.IV) Department, dt.23.12.04.
- 3) From the G.A.(COI.AMR) Dept., Letter No.3/COI.AMR/2005, dt.8.07.2005.
- 4) Government Memo No.20125/Vig.IV.2/2002-3, dt.01.11.06.
- 5) Orders of Hon'ble A.P.A.T., dt.20.11.09 in O.A No.7411/2006.
- 6) Government Memo No.20125/Vig.IV.2/02-13, dt.16.02.2010.
- 7) From Sri M.A.Bari, Superintendent, (Retired), S & L.Rs., Hyderabad, explanation dt.26.04.2010.
- 8) Government Memo No.20125/Vig.IV.2/2002-14, Revenue (Vig.IV.2) Department, dt.23.09.2010.
- 9) Government Letter No.20125/Vig.IV.2/2002-17, Revenue (Vig.IV.2) Department, dt.21.10.2011.
- 10) From Secretary, A.P.P.S.C., Hyderabad, Lr.No.1240/RT-I/3/2011, dt.11.11.2011.

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ORDER :-

In the letter 1st read above, the Commissioner, Survey Settlements and Land Records has submitted proposals to Government for initiation of Disciplinary action under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 against Sri M.A.Bari (Retired), the then Superintendent, Office of Regional Deputy Director, Survey & Land Records, Hyderabad on the allegation of making irregular appointment on compassionate grounds to Smt.Shaheda Begum, second wife of late Mohd. Osman Ali, Attender, Office of Regional Deputy Director, Survey & Land Records, Hyderabad. In the reference 2nd read above, Government have appointed Dr.Madhusudhan Reddy, I.A.S. (Retired), Commissioner of Inquiries as Inquiry Officer to enquire into the charges framed against Sri M.A.Bari, Superintendent (Retired). In the reference 3rd read above, the Enquiry Officer has submitted his enquiry report and as per the Inquiry Report, out of 5 charges framed against Sri M.A.Bari, Superintendent (Retired), 3 charges are held proved and 2 charges are partly proved. The Government being the competent authority have taken a provisional decision to impose a 20% cut in pension permanently against Sri M.A.Bari, Superintendent (Retired) for the charges held proved against him. While communicating a copy of the enquiry report, he was directed to submit his explanation as to why the punishment of 20% cut in pension should not be imposed for the irregularity committed by him in the reference 4th read above. Aggrieved by the provisional decision of the

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Government, Sri M.A.Bari, Superintendent (Retired) filed O.A. before the A.P.Administrative Tribunal challenging the decision of the Government. In the reference 5th read above, the Hon'ble Tribunal while setting aside the show cause notice dt.01.11.2008 issued by the Government has ordered as follows:-

"The show cause notice indicates the quantum of punishment proposed to be imposed. In view of Rule 21 of the Andhra Pradesh Civil Services (CCA) Rules, 1991 indicating the punishment in the show cause notice is bad. Therefore, it is liable to be set aside. In the result, the O.A. is allowed.

The show cause notice dated 01.11.2008 issued by the 1st Respondent is set aside. However, the 1st respondent is at liberty to issue a fresh show cause notice according to Rule 21 of the Andhra Pradesh Civil Services (CCA) Rules, 1991 and after receiving the explanation from the applicant, pass appropriate orders imposing the punishment according to Rules. No order as to costs.

2. In obedience to the orders of Hon'ble Tribunal, the Government have again furnished a copy of the Enquiry report to Sri M.A.Bari, Superintendent (Retired) and directed him to submit his explanation if any on the report of the Enquiry Officer vide 6th read above. In the reference 7th read above, Sri M.A.Bari, Superintendent (Retired) has submitted his explanation. As no new grounds have been submitted by him in his explanation, the Government have taken a provisional decision to impose a penalty of 20% cut in pension permanently against Sri M.A.Bari, Superintendent (Retired) and accordingly, a show cause notice was issued to him which is required under Rule 9(2) of Andhra Pradesh Revised Pension Rules, 1980 and directed him to submit his explanation in the reference 8th read above and the same was served on him on 01.11.2010. But no further explanation has been received by Government from him though he has received the notice on 01.11.2010. The Government have decided to confirm the provisional decision already taken to impose a penalty of 20% cut in pension permanently against Sri M.A.Bari, Superintendent (Retired).

3. Accordingly, in the letter 9th read above, the Government have referred the matter to Andhra Pradesh Public Service Commission for concurrence as required under Rule 9(1) of Andhra Pradesh Revised Pension Rules, 1980.

4. In the letter 10th read above, the Andhra Pradesh Public Service Commission has given its concurrence to the proposal of the Government to impose the punishment of 20 % (Twenty percent) cut in pension permanently against Sri M.A.Bari, the then Superintendent, Office of the Regional Deputy Director, Survey & Land Records, Hyderabad (now retired).

5. Accordingly, the Government in exercise of the powers conferred under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, hereby impose the punishment of 20% (Twenty percent) cut in pension permanently against Sri M.A.Bari (Retired), the then Superintendent, Office of the Regional Deputy Director, Survey & Land Records, Hyderabad.

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6. The Commissioner, Survey Settlements and Land Records, Andhra Pradesh, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri M.A.Bari (Retired), the then Superintendent,
Office of the Regional Deputy Director,
Survey & Land Records, Hyderabad **through**
the Commissioner, Survey Settlements and
Land Records, Hyderabad.

The Commissioner, Survey Settlements and
Land Records, Hyderabad. (With a request to
serve the copy to the individual and send
the served copy to Government).

Copy to:

The Secretary, A.P. Vigilance Commission, Hyderabad.

The Secretary, A.P. Public Service Commission,
Hyderabad for information.

Stock File / Spare Copy.

// FORWARDED :: BY ORDER //

SECTION OFFICER